

attorney assumes that claims 22-25 are part of Group IX because these claims depend from claim 21. Likewise, the Applicants' attorney assumes that claims 30-32 are part of Group I, and that claim 43 is part of Group X.

The Applicants' attorney also requests that the Examiner reconsider her ten-way restriction in view of the below discussion, and restrict the claims into no more than the following two groups:

Group A – claims 1-20, 30-35, 38-40, and 44 (the Examiner's Groups I-VIII plus claims 30-32), and

Group B – claims 21-29, 36-37, and 41-43 (the Examiner's Groups IX-X plus claims 22-25 and 43).

Assuming that the Examiner agrees to this grouping, the Applicants' attorney elects the Group A claims for prosecution at this time.

According to MPEP § 803, if the Examiner can search and examine the application (or a group of claims within the application) without serious burden, then he/she **MUST** examine the application (or group of claims) on the merits even though the application (or group of claims) includes claims to independent or distinct inventions. As discussed below, the Examiner can perform a single search and examination that will cover the Group A claims 1 – 20, 30-35, 38-40, and 44. Consequently, the Examiner can search and examine the Group A claims together without serious burden, and, therefore, **MUST** examine all of the Group A claims together. Likewise, the Examiner **MUST** examine all of the Group B claims 21-29, 36-37, and 41-43 together.

The Examiner can perform a single search and examination that will cover all of the Group A claims 1-20, 30-35, 38-40, and 44 because, as the Examiner indicates on pages 2-3 of the Restriction Requirement, all of the Group A claims are in the same class 359 and subclass 212.

Likewise, the Examiner can perform a single search and examination that will cover all of the Group B claims 21-29, 36-37, and 41-43 because, as the Examiner indicates on pages 2-3 of the Restriction Requirement, all of the Group B claims are in the same class 359 and subclass 900.

In the event additional fees are due as a result of this amendment, payment for those fees has been enclosed in the form of a check. Should further payment be required to cover such fees you are hereby authorized to charge such payment to Deposit Account No. 07-1897.

If after considering this response the Examiner does not agree that the claims should be restricted into no more than two groups, the Applicants' attorney requests that the Examiner contact him to schedule an Examiner's interview before issuing the next Office Action.

DATED this 3<sup>rd</sup> day of January, 2006.

Respectfully submitted,

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